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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,905	06/27/2005	Choon Meng Ting	YU1-001	3254
21567 7590 05/21/2007 WELLS ST. JOHN P.S. 601 W. FIRST AVENUE, SUITE 1300 SPOKANE, WA 99201			EXAMINER MORROW, JASON S	
			ART UNIT 3612	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/540,905

**Applicant(s)**

TING ET AL.

**Examiner**

Jason S. Morrow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 17-24 is/are rejected.
- 7) ☒ Claim(s) 15 and 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 2/6/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "18" has been used to designate both the light source and the post in figure 5. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the utility supply control means must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet,

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even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-9 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the downwardly facing major surface" in lines 15 and 16. There is insufficient antecedent basis for this limitation in the claim.

Claim 19 recites the limitation "the downwardly facing major surface" in lines 4 and 5. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 10-14, 17, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Stockli (US Patent 6,223,479).

Re claim 10, Stockli discloses a mobile first aid post comprising a road vehicle a compartment carried by said vehicle, defining a generally boxed shaped openable enclosure (see figure 1) for housing medical supplies and equipment (the structure is capable of housing medical supplies and equipment), said compartment including a fixed structure (44) and at least one rigid movable panel (46, 48) which is movable relative to said fixed structure between a condition closing a side of said enclosure (hereinafter "closed condition") (see figure 3) wherein said panel defines at least part of a side wall of said enclosure and an erected condition wherein said at least one panel is in a substantially or near horizontal condition (figure 1) and thereby creating an opening for said enclosure, said at least one panel movable in a pivoting manner to said fixed structure to extend outwardly from said enclosure and above said opening to provide a region covered overhead by said at least one panel for a person positioned adjacent said side of said vehicle where said at least one panel is provided and positioned when in said erected condition, wherein an extension panel (78, 72) is movably engaged to each said at least one movable panel to move between a collapsed condition and an expanded condition wherein said extension panel is outwardly of said at least one panel and said enclosure to define a total

said region covered overhead greater than that provided by said at least one panel alone.

Re claim 11, said extension panel is a rigid panel and when in a collapsed condition overlies said at least one movable panel (see figure 2D).

Re claim 12, said extension panel is horizontally hinged to said at least one movable panel to overlie one of said major surfaces of said at least one panel when in said collapsed condition (see figure 2D).

Re claim 13, the extension panel is hinged to said at least one panel to extend in said extended condition, substantially parallel to said at least one panel (see figure 1).

Re claim 14, a straight edge of said extension panel is engaged to a straight edge of said at least one movable panel (see figure 2A).

Re claim 17, said at least one panel is of a quadrilateral plan shape and said extension panel is of a slightly smaller plan shape to said at least one panel (see figure 2D).

Re claim 18, said at least one panel and said extension panel are in an edge to edge juxtaposition to each other when in the expanded condition without any significant gap existing between said at least one panel and said extension panel (see figure 2A).

8. Claims 20-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Wenger (US Patent 3,217,366).

Re claim 20, Wenger discloses a mobile first aid post comprising a road vehicle (see figure 2), a compartment carried by said vehicle, defining a generally boxed shaped openable enclosure (see figure 3) for housing medical supplies and equipment (the enclosure is capable of housing medical supplies), said compartment including a fixed structure and at least one rigid

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movable panel (28) which is movable relative to said fixed structure between a condition closing, a side of said enclosure (hereinafter "closed condition") wherein said panel defines at least part of a side wall of said enclosure (see figure 3) and an erected condition (see figure 1) wherein said at least one panel is in a substantially or near horizontal condition and thereby creating an opening for said enclosure, said at least one panel movable in a pivoting manner to said fixed structure to extend outwardly from said enclosure and above said opening to provide a region covered overhead by said at least one panel for a person positioned adjacent said side of said vehicle where said at least one panel is provided and positioned when in said erected condition, said panel providing an opening to said enclosure when in said erected condition which extends substantially to a floor of said enclosure, a seat structure (34) pivotably mounted to said fixed structure proximate or at said floor to, in a first pivotal condition present a substantially horizontal support surface (37 in figure 3) above the surface of said floor (the floor on which 34 rests in figure 3) to allow a person within said enclosure to be sedentary thereon (it is possible for a person to sit on 34 in figure 3) and in a second pivotal condition (shown in figure 1) different to the first, present a substantially horizontal surface intermediate of said floor and the ground adjacent said vehicle to allow a person to be supported thereon.

Re claim 21, said seat structure includes a first member (the upper riser of 34 hinged) engaged to said floor at a pivot means and a seat member (the lower riser of 34 shown in figure 1) of rigidly extending from said first member, said seat member has in said first rotational condition, a first surface thereof positioned substantially horizontally and upwardly facing within said enclosure to allow a person to be sedentary thereon (shown in figure 3) and a second surface opposite to said first surface positioned horizontally and upwardly facing when said seat

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structure in said second rotational condition and located substantially outwardly of said enclosure to present said second horizontal surface as a step between said floor structure and the ground on which said vehicle is positioned (as shown in figure 1).

Re claim 22, the seat structure is engaged to said floor structure to be entirely within said enclosure in said first rotational condition (see figure 3).

Re claim 23, said seat structure can be rotated in an outwardly and downwardly direction, relative to said compartment to said second rotational condition and is supported when in said second rotational condition against any further rotation (see figure 1).

Re claim 24, said floor of said compartment is positioned at a height above said surrounding ground to said vehicle which is substantially twice the height of said second surface of said seat structure above said surrounding ground when in said second rotational condition (see figure 1).

### ***Allowable Subject Matter***

9. Claims 15 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 1-9 and 19 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

### ***Conclusion***



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11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wright, Blank, Couse, Migurski et al., Levine, Lavin et al., Shaw, Pellegrin, Jr., and Blackwell et al. disclose vehicle enclosures.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason S. Morrow whose telephone number is (571) 272-6663. The examiner can normally be reached on Monday-Friday, 8:00a.m.-4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (571) 272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason S. Morrow  
Primary Examiner  
Art Unit 3612

May 14, 2007

  
JASON MORROW  
PRIMARY PATENT EXAMINER

5/14/07